

### REMARKS

This application has been carefully reviewed in light of the Office Action dated June 14, 2006. Claims 19 to 39 are pending in the application, of which Claims 19, 27, 31, 35 and 39 are independent. Reconsideration and further examination are respectfully requested.

Claim 39 was rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Without conceding the correctness of the rejection, Claim 39 has been amended to clarify that it is directed to a computer-readable storage medium. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claims 19 to 39 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,003,065 (Yan) in view of U.S. Patent No. 6,931,633 (Vazquez). Reconsideration and withdrawal of this rejection are respectfully requested.

Amended Claim 19 is directed to an image processing system having plural devices, including a device capable of executing predetermined image processing, interconnected via a serial bus. A processing program for execution of said image processing is downloaded from said device capable of executing predetermined image processing to a device, which does not have a function of executing said image processing, among said plural devices. Processing performance information indicating performance of executing said image processing upon using the downloaded processing program is obtained from each of said plural devices, and an executing device to execute said image processing is determined from said plural devices based on said processing performance information, time to be taken for downloading the processing program, and time to be taken for transforming image data.

The cited references, namely Yan and Vazquez, either alone or in combination, fail to disclose or suggest at least the feature of determining an executing device to execute image

processing from plural devices based on processing performance information, time to be taken for downloading the processing program, and time to be taken for transforming image data.

In contrast, Yan discloses a technique for selecting a peripheral device using a peripheral database 110 (of Fig. 1) storing a profile of the capabilities for each of one or more peripheral devices coupled to a network. In operation, an application uses a predetermined selection criteria to query the peripheral database 110 and determine which peripheral device is best suited for performing the desired peripheral operation. (See Fig. 3 and Fig 4.) The system of Yan differs from the present invention for at least the reason that a system in accordance with the present invention determines an executing device to execute image processing from plural devices based on processing performance information, time to be taken for downloading the processing program, and time to be taken for transforming image data. Nowhere does Yan disclose or suggest that the profile information includes processing performance information, time to be taken for downloading the processing program, and time to be taken for transforming image data. Therefore, Yan cannot possibly disclose or suggest making a determination based on these pieces of information.

Furthermore, Vazquez discloses a technique for measuring time to be taken for executing an algorithm. However, Vazquez is entirely silent regarding determining an executing device to execute image processing from plural devices based on processing performance information, time to be taken for downloading the processing program, and time to be taken for transforming image data. Therefore, nothing in Vazquez is seen to cure the deficiencies of Yan.

In light of the deficiencies of Yan and Vazquez as discussed above, Applicant submits that amended independent Claim 19 is now in condition for allowance and respectfully requests same.

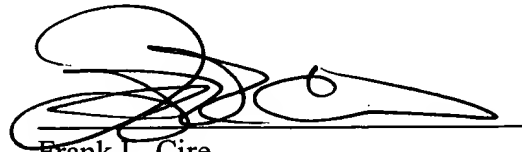
Amended independent Claims 27, 31, 35 and 39 are directed to a method, an apparatus, another apparatus and a computer-readable storage medium, respectively, substantially in accordance with the system of Claim 19. Accordingly, Applicant submits that Claims 27, 31, 35 and 39 are also now in condition for allowance and respectfully requests same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed allowable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank L. Cire', written over a horizontal line.

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